PUBLIC

LET7251 Form TCP 3

DERBYSHIRE COUNTY COUNCIL

TO: Derbyshire County Council
C/o Mr Dave Massingham
Director of Property
Chatsworth Hall
Chesterfield Road
Matlock
DE4 3FW

County Hall
Matlock
Derbyshire
DE4 3AG

6.166.24

TOWN AND COUNTRY PLANNING ACT 1990

In pursuance of the powers vested in the Council under the above Act and all related Acts, Orders and Regulations, and with reference to your application Code No CD6/1121/2, for the **installation of a refurbished modular building at Swanwick School and Sports College, Hayes Lane, Swanwick, Alfreton, DE55 1AR** in the manner described in the application and shown on the accompanying plan(s) and drawing(s), NOTICE IS HEREBY GIVEN that permission for the proposed development is **GRANTED subject to compliance with the following conditions:**

Commencement

1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

   Reason: The condition is imposed in accordance with Section 91 of the Town and Country Planning Act 1990

2) Notice of the commencement of the development shall be provided to the County Planning Authority at least seven days prior to the start of works on site.

   Reason: To enable the County Planning Authority to monitor the development in the interests of the amenity of the area

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Signed
Authorised Officer of the Council

Approved details

3) The development shall take place in accordance with the details in the 1APP form dated 18 November 2021 and the and the following:

1APP form dated 18 November 2021
Design and Access Statement dated 18 November 2021
Heritage Impact Assessment dated 6 December 2021
Open Space Statement dated 6 December 2021
Coal Mining Risk Assessment dated 6 January 2022
Elevation Plan, drawing number; 521045-CDP-XX-XX-DR-A-2001, received 18 November 2021
Proposed Building Location Plan, drawing number; 521045-CDP-XX-XX-DR-A-2002, received 18 November 2021
Site Location Plan, drawing number; 521045-CDP-XX-XX-DR-A-2003, received 18 November 2021
Drainage Layout Plan, drawing number; 521045-CDP-XX-XX-DR-A-2004, received 6 December 2021
Correspondence from The Coal Authority dated 14 January 2022

Reason: To ensure that the development hereby approved is carried out in conformity with the details submitted with the application.

Ground Investigation

4) No development shall commence until;
a) a scheme of intrusive site investigations has been carried out on site to establish the risks posed to the development by past coal mining activity, and;
b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed. The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

Reason: In the interests of safety with regard to potential historic mining activity in the locality.

5) Prior to the occupation of the development, or it being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe

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and stable for the approved development shall be submitted to the County Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

Reason: In the interests of safety with regard to potential historic mining activity in the locality.

Statement of Compliance with Article 35 of the Town and Country (Development Management Procedure) (England) Order 2015.

The authority worked with the applicant in a positive and pro-active manner based on seeking solutions to problems arising in the processing of planning applications in full accordance with this Article. The applicant had engaged in pre-application discussions with the authority prior to the submission of the application. The applicant was given clear advice as to what information would be required.

Pre-commencement Conditions

In accordance with the Town and Country Planning (Pre-Commencement Conditions) Regulations 2018 ('the Regulations'), the applicant was provided with a draft schedule pre-commencement conditions. The applicant provided a substantive response to the effect that it agreed with the imposition of those pre-commencement conditions.

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NOTES

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990.

- If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice; unless

- this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.

- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of service of the enforcement notice, or within 6 months of the date of this notice, whichever period expires earlier.

- Appeals can be made online at: https://www.gov.uk/planning-inspectorate. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

- The Secretary of State can allow a longer period for giving notice of an appeal, but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

- If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.

Purchase Notices

- If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that the owner can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

- In these circumstances, the owner may serve a purchase notice on the County

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Council in whose area the land is situated. This notice will require the Council to purchase the owner's interest in the land in accordance with the provisions of Chapter 1 of Part VI of the Town and Country Planning Act 1990.

The following notes are the further advice of the County Council.

- This permission relates to planning control only. Any other statutory consent necessary to enable the proposed development to commence must be obtained from the appropriate authority or regulator.

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